

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
(HOUSTON DIVISION)

RODNEY TOW, TRUSTEE

*PLAINTIFF,*

VS.

JOHN H. SPEER, ET AL,

*DEFENDANTS.*

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CIVIL ACTION No. 4:11-cv-03700

JURY DEMANDED

MOTION TO DISMISS CERTAIN CLAIMS AND/OR FOR PARTIAL SUMMARY JUDGMENT

TO THE HONORABLE LEE ROSENTHAL, UNITED STATES DISTRICT JUDGE:

For the reasons set forth in the Brief that accompanies this Motion, Michael G. Manners, Allard Investment Company, LLC, DWM Holdings GP, LLC, DWM Holdings, L.P., MGM Motor Sports, LLC, Saracen Holdings, Inc., Saracen Holdings, L.P. and Saracen Holdings GP, L.L.C. move for an order dismissing and/or granting partial summary judgment as to all claims alleged against them in Plaintiff's Third Amended Complaint except those based upon fraudulent transfer.

Respectfully submitted,

/s/ William C. Ferebee

WILLIAM C. FEREBEE

SBN 06907500

450 Gears Road - Eighth Floor

Houston, Texas 77067

(281) 875-8200

(281) 875-4962 (facsimile)

[wferebee@ofmklaw.com](mailto:wferebee@ofmklaw.com)

ATTORNEY-IN-CHARGE FOR

MICHAEL G. MANNERS

/s/ Eugene B. Wilshire

EUGENE B. WILSHIRE

SBN 21665500

3840 One Houston Center

1221 McKinney Street

Houston, Texas 77010

(713) 651-1221

(713) 651-0020 (facsimile)

[ewilshire@wilshirescott.com](mailto:ewilshire@wilshirescott.com)

ATTORNEY IN CHARGE FOR

MANNERS RELATED DEFENDANTS

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that the foregoing was served ECF/PACER to those registered to receive such notice on the 20<sup>th</sup> day of November, 2012.

/s/ Eugene B. Wilshire  
Eugene B. Wilshire